

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 31, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ADLIA R.,¹

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:22-cv-03124-RHW

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF No. 15

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 15, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Cory Brandt represents Plaintiff. Attorney Katherine Watson represents Defendant.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**.

3 3. The above-captioned case be **REVERSED** and **REMANDED** to the
4 Commissioner of Social Security for further administrative proceeding pursuant to
5 sentence four of 42 U.S.C. § 405(g).

6 The parties have stipulated to the following instructions. On remand, the
7 Appeals Council will instruct the ALJ to:

- 8 • Evaluate the permanent restrictions assessed by D. Fisher, M.D., L.
9 Anderson, M.D., and C. Cowin, A.R.N.P.;
- 10 • Reevaluate the medical opinion evidence;
- 11 • Reassess the residual residual functional capacity and reevaluate
12 testimonial and non-medical source statements, as needed;
- 13 • Offer Plaintiff the opportunity for a new hearing;
- 14 • Obtain supplemental vocation expert testimony; and
- 15 • Issue a new decision.

16 *See* ECF No. 15 at 2.

17 3. Judgment shall be entered for **PLAINTIFF**.

18 4. Upon proper presentation, this Court consider Plaintiff's application for
19 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

20 ///

1 The District Court Executive is directed to enter this Order, **enter**
2 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

3 DATED January 31, 2023.

4 *s/Robert H. Whaley*
5 ROBERT H. WHALEY
6 Senior United States District Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20